

Prep for meeting with Senator Feinstein's staff (by Schwinn 7/12/10)

1. SF Bay legislation: For the last 3 years, Senator Feinstein sponsored funding in EPA's appropriations bills for SF Bay restoration (\$17 million total over 3 years). There has been a stakeholder effort over the last couple of years to establish such a funding program more permanently. This effort led Congresswoman Speier to introduce the SF Bay Improvement Act in April. The Speier bill would authorize a SF Bay Program Office in Region 9 to administer up to \$100 million/year. In late June, Senator Feinstein introduced a greatly scaled-down bill which simply authorizes EPA to administer a grant program, without including a dollar amount. The Senator does not support the more expansive House bill.

→ Region 9 is very pleased with either bill. Both recognize the importance of the Bay and the need for additional funding to improve water quality.

2. EPA-funded SF Bay projects: Of the \$17 million appropriated for SF Bay restoration, Region 9 has obligated \$15 million. Attached is a list of our 4 grants and the projects funded within each. We will soon issue an RFP for the remaining funds (and any new FY11 funds).

Earlier today, Leah Russin relayed concerns expressed by the Senator regarding our use of these funds for low impact development projects, such as the Cesar Chavez Green Street Project. The Senator regards these as too distant from the Bay. She also believes that such infrastructure is more properly funded by the Clean Water SRF.

→ Region 9 believes these LID projects will result in water quality improvements to the Bay. (talking points attached) We will prepare additional information for the Senator on these benefits.

→ Region 9 also believes some amount of grant funding is appropriate while Bay area communities are just beginning to adopt LID. More widespread utilization of LID will ultimately rely on funding from the SRF and local user fees.

3. Delta: Region 9 recently wrote to the federal lead NEPA agencies for the Bay Delta Conservation Plan (BDCP) on the EIS "purpose and need" statement (letter attached). For the last 6 months, we had been suggesting alternatives to including "full contract deliveries" as a purpose of the BDCP, given the need to reduce reliance on the Delta. For the most part, our federal counterparts don't disagree; the State DWR disagrees. Others have raised this issue as well, including the State legislature, the Delta Stewardship Council, and the environmental community. Although our letter succeeded in elevating this issue, we don't expect immediate resolution.

→ We will be turning our attention to the still-developing EIS alternatives and the criteria for their evaluation. As our review identifies significant issues that we are unable to resolve with our counterpart agencies, we will elevate them within EPA. We are also committed to more

timely communications with the Senator's staff.